M

Home (1952) Department.

MS. SERIES.

G.O. NO. 3556

Dated 27-11-52

FOR MYSORE STATE

[Despatch Abstract.]

Petitions for mercy — condemned prisoner no 4564, A.J. Peiris — C.J., Cannanore. South Kanara S.C. nos. 34/52 — Ca. nos. 78/52 and 79/52 and T.R. no. 5/53 on file of the Supreme Court — Appeal by the prisoner to the Supreme Court of India — no additional printing charges — sanctioned.

C.F. 32 (a)—. 184,468—15-11-52.

Immediate

Judicial Department

From (Name) Sri.V.T.Rangaswami Ayyangar, B.A.B.L.
Designation Public Prosecutor,
Station Madras.

Received ..... Registered .....

To

The Secretary to Government,
Home Department,
Madras.

Enclosures:

S.C.O. Crl.M.P.330/53, dated 23rd November 1953

Sir,

Sub: Supreme Court - Crl.M.P.330/53 - R.T.No.5/53
High Court, Madras - A-J.Peris - Condemned Prisoner - Printing charges - Additional charges- Sanction of.

I enclose herewith the notice (in original) issued by the High Court asking me to take immediate steps to deposit on or before the 2nd December 1953 a sum of Rs.1900/- (Rupees one thousand and nine hundred) only as additional printing charges towards the printing of the record in the above appeal to the Supreme Court. I therefore request the Government may b be pleased to sanction the amount at a very early date.

V.T.Rangaswami
Public Prosecutor 23/11

PUBLIC PROSECUTOR'S OFFICE
3826
3 NOV 1953
MADRAS

T.P.S.C. No. 287 of 1953 3

S.C.C.M.P. No. 330/53
in
S.C.C. No. 796/52 & R.T. No. 5/53

HIGH COURT OF JUDICATURE, MADRAS.

OFFICIAL MEMORANDUM.

Dated 21st Nov 1953.

In the matter of A.J. Peiris, Condemned prisoner, Central Jail Cannanore

The Public Prosecutor, Madras is requested to deposit in the High Court on or before the 2nd of December 1953, a sum of Rs. 1900/- (Rupees One thousand and nine hundred only) as additional printing charges towards the printing of the record in the above appeal to the Supreme Court.

21.11

Manager,
T.P. Department

To

The Public Prosecutor, Madras
High Court, Madras.

1.11.53.

24-11-53

H.Ct. No. 211—5,002—25-3-42.

C.NO.21579 Cts.IV 53.

Home Department.

G.O.Ms. No. 3556 d/ 27.11.53

Petition for mercy - Condemned prisoner No. 4564, A.J. Peiris - C.J., Cannanore - South Kanara S.C. No.34/52 - C.A.No.796/52 and R.T. No. 5/53 on file of High Court - Appeal by the prisoner to the Supreme Court of India - Addl. printing charges - Sanctioned.

CROSS REFERENCE: SUITS - CONDEMNED PRISONER NO.4564, A.J. PEIRIS . . . SANCD.

Read the following:-

G.O.Ms. No. 3118, Home, d/8.10.53.
From the P.P., Madras, S.C.Crl.M.P. 330/53, d 23.11.53.

ORDER:

The Govt. of Madras hereby sanction a sum of Rs.1,900/- (rupees one thousand nine hundred only) towards deposit for additional printing charges to be paid in the High Court in connection with the appeal to the Supreme Court by condemned prisoner No. 4564, A.J. Peiris, confined in the C.J., Cannanore, against the Judgment and Order of the High Court of Madras, in C.A.No. 796/52 and R.T. No. 5/53 on its file. The Acct.-Genl., Madras, is requested to disburse the above amount to the P.P., Madras.

2. The expenditure will be debited to the head of account "27. Admn. of Justice - b. Law Officers - D. Contingencies."

To the P.P., Madras.
" A.G. thro' Fin.Dept.
" A.G., Madras, by name, marked duplicate.
Copy to the Fin. Dept.
" Regr., High Ct., Madras.
" Courts III Section.
Copy for S.F.

C.NO.211579 Cts.IV/53. N.F. 1

Home Department.

Petition for mercy - Condemned prisoner No.4564, A.J. Peiris (A-2) - C.J., Cannanore - South Kanara S.C. No.34/52 - C.A.No. 796/52 and R.T. No. 5/53 on file of High Court - Appeal to the Supreme Court of India - Addl. printing charges.

From the P.P., Madras, S.C.Crl.M.P.330/53, d/23.11.53.

A.S.1.

Condemned prisoner No. 4564, A.J. Peiris, confined in the C.J., Cannanore, was tried by the Sessions Judge, South Kanara as accused 2, in S.C.No.34/52 on his file, on charges of abetment, by criminal conspiracy, of murder, the murder having been committed in pursuance thereof (section 120-B read with sections 302 and 109, I.P.C.) and abetment by criminal conspiracy, of the offence of causing the disappearance of evidence of murder (section 120-B read with sections 201 and 109, I.P.C.). The Sessions Judge found him guilty as charged and convicted and sentenced him to death under section 120-B read with sections 302 and 109, I.P.C. In view of the above conviction, the Sessions Judge considered it unnecessary to record any conviction for the other offence, viz., causing the disappearance of the evidence of murder. The sentence of death passed on him was confirmed by the High Ct. in R.T. No. 5/53. The prisoner applied to the Supreme Court for Special Leave to appeal against the judgment and order of the High Court, in Crl. Miscellaneous Petition No. 330/53 on the file of the Supreme Ct. of India and Special Leave to appeal has been granted to the prisoner by that Court. The Supreme Court has also ordered that the Regr., High Ct., Madras do have printed in the High Court and transmitted to the Supreme Court, at the expense of the Govt. of the State of Madras, 15 copies of the record proper, to be laid before that Court.

2. In pursuance of the Supreme Court's order, the High Ct., Madras, issued notice to the P.P., Madras, to take steps to deposit in the High Court, a sum of Rs.500, towards the cost of printing the Supreme Court record

in the above appeal. The P.P. applied to the Govt. for the sanction of the amount of Rs.500/- and it was sanctioned in G.O.Ms. No. 3118, Home, d/8.10.53.

3. The P.P., Madras has now sent to Govt., a notice (in original), issued by the High Court, asking him to take immediate steps to deposit, on or before 2.12.53, a sum of Rs.1,900/-, as addl. printing charges towards the printing of the record in the above appeal to the Supreme Court and has requested that the Govt. may be pleased to sanction the amount at a very early date.

4. A draft order sanctioning the amount is submitted for approval. Finance may see for acceptance.

Rue 25/11/53. Fin 25/11/53

Fin

Through Courts-I 25/11/53

Home U.O. 211579 Cts IV 53-1 d. 25/11/53

Finance (Exp A)

In the circumstances explained in Home's note at pp1-2 ante, the draft order below may be accepted.

Sd/- 26/11/53

Home

Home Dept.

A.S.D.

The draft order below may be issued

Rue 27/11/53.

27/11/53

[Desires G.O.Ms.No. 3556, Home, d. 27.11.53]

Fin No: 89781-EA1/53

ADDITIONAL DEPUTY/ASSISTANT SECRETARY TO GOVERNMENT 89781 25 NOV 1953 FINANCE DEPARTMENT

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT 26 NOV 1953 HOME EXPENDITURE

214147 27/11 O/C

p1 c.p.c. (D)

p5 c.p.c. (D)

p3 c.p.

p1 c.p.

p5 c.p.